

THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Tina Lauter

v.

The Massachusetts Department of Transportation

Request for Nuisance Abatement

Facts

- 1.) The complainant is not a resident of the state of Massachusetts but is a citizen of the United States.
- 2.) The Massachusetts Department of Transportation is the owner of a certain section of land along the headwater of an unknown body of water, beginning at or about 4<sup>th</sup> Street in Boston.
- 3.) The section of land is extremely desirable nesting ground for Migratory birds, including but not limited to Canada Geese, on the north/ south flight path.
- 4.) The land has routinely been extensively encamped causing significant damage to the environment, and costing thousands of dollars monthly to remove the waste of the encampments, which include food, human feces, clothing, electronics, wheelchairs, and thousands of used needles.
- 5.) In the past several weeks alone, the complainant has been assaulted by the drug users chased into the street with heroin needles, threatening the Complainant's life, encamped and or loitering along the environmentally sensitive area, although it is posted "No Loitering" and "No Trespassing" along the river.
- 6.) The Complainant has witnessed a female Canada Goose nest directly under the posted "No Trespassing" area, having one of her extremely mature eggs removed and returned cold, so that she was forced from the nest, and began nesting in the open area (which is posted "No Trespassing")
- 7.) The Complainant has witnessed the same unlawful encampment individuals/assaulters attempting to feed 1 week old goslings candy in the middle of the night, stating that have lived in that location for several years and that they know the geese.
- 8.) The Complainant has witnessed the unlawful encampers wait for the Department of Transportation to clean the 100-yard-long area along the river, with bags and bags of personal

U.S. DISTRICT COURT  
DISTRICT OF MASS.

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things, directly next to the workers, only to re-establish their encampments within minutes of their departure.

9.) The Complainant has witnessed the drug users/assaulters in the posted "No Trespass" area while responding to the cries of the adult geese, only to find on one occasion three one week old goslings, on a second occasion a six-week-old gosling with a broken leg, and on a third occasion, a gosling with a broken neck. (The last incident happening on May 22, sometime in the AM. Although the Complainant requested of a municipal police officer to contact animal control and The Environmental Police, the request was refused.

10.)The environmentally sensitive area is otherwise richly populated by rabbits, green Herons, Loons, Cormorants, seagulls and raccoons.

11)The Complainant has noticed that while the Department of Transportation has spent hours and hours routinely tidying up the area, it has been seen to be the same dozen assaulters/drug users/encampers returning to the posted "No Trespassing" area, disturbing fresh goose nests, displacing goslings, and strewing bags of donated goods from the shelter across the street within hours of re encamping.

13) The Complainant has observed that the environmentally sensitive area can only be access by humans at two points, that could be closed off entirely (to humans) with less than ten feet of chicken wire (or fence).

13) The Complainant has observed at least 12 wheelchairs in the water and witnessed at least two new wheelchairs along the adjacent street in a wooded area (less than 50 feet wide), with an encampment clearly visible (along the fence) to the municipal building, where dozens of rabbits 'families' have been witnessed, increasing the probability of the animals being displaced, crossing the street, getting hit by vehicles and possibly causing accidents.

14) The Complainant has video documented several of the incidences documented in this action, and has witnessed these encampers standing in the street, severely impaired by drugs asking people in vehicles for money.

15) Currently, there are approximately 6 gaggles of geese that have apparently been displaced downriver, and are attempting to nest in the posted "No Trespassing" area, along the river where the encampers have prevented the maintenance of grass, along the secluded section of land along the river, so that there is no desirable vegetation in the otherwise desirable area for the Migratory birds, increasing the likelihood of the birds walking into the street to forage for fresh grass nearby.

16) The Complainant has been horrified by the experiences witnessed regarding the harassment, injury and murder of the animals in the last two months, to the point of extreme distress.

14) Wherefor, the Complainant requests the Massachusetts Department of Transportation or the legal owner of the environmentally sensitive area, clean the area along the river or "canal",, physically close the area to unlawful human trespass at he two points of access and return the area to a condition inhabitable to Migratory birds.



**The United States District Court**

**District of Massachusetts**

The Complainant asserts indigency, having no assets, and requests to proceed in forma pauperis. The Complainant also requests to proceed by homonym as the physical safety of the Complainant has been threatened and documented in several police reports.

Tina Lauter



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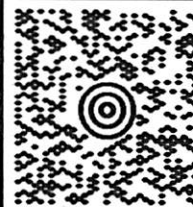
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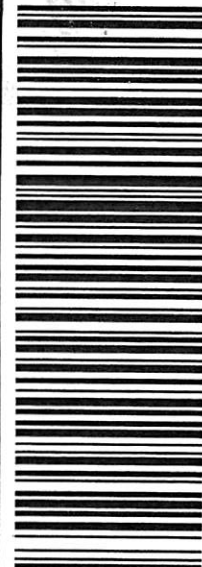
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